

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA, YUMA DIVISION**

United States of America

CASE: 13-64711MP

vs.

Jose Martinez

JUDGMENT IN A CRIMINAL CASE (For A Petty Offense)

The Defendant, Jose Martinez, was represented by counsel, Richard L Juarez (FPD).

The defendant pled guilty to the Complaint on 08/20/2013. Accordingly, the defendant is adjudged guilty of the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date of Offense</u>
8 U.S.C. 1325(a)(1)	Illegal Entry	08/18/2013

As pronounced on 08/20/2013, the defendant is hereby committed to the custody of the United States Bureau of Prisons for a term of FIFTEEN (15) DAYS WITH CREDIT FOR TIME SERVED. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The special assessment imposed pursuant to 18 U.S.C. § 3013 is hereby remitted pursuant to 18 U.S.C. § 3573 because reasonable efforts to collect this assessment are not likely to be effective.

The fine is waived because of the defendant's inability to pay.

Signed on Tuesday, August 20, 2013.



James F. Metcalf
United States Magistrate Judge

Arresting Agency: YUM
FBI Number: 513819MD7

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA - YUMA**

MAGISTRATE JUDGE'S MINUTES

Date: 08/20/2013

Case Number: 13-64711MP

USA vs. **Jose Martinez**

U.S. MAGISTRATE JUDGE: JAMES F. METCALF Judge AO Code: 70BV

ASSIGNED U.S. Attorney: Louis C Uhl

INTERPRETER REQ'D: Miguel Aguayo, Spanish

Attorney for Defendant: Richard L Juarez (FPD)

PROCEEDINGS: ☒ INITIAL APPEARANCE/CHANGE OF PLEA/SENTENCE

DEFENDANT: ☒ PRESENT ☒ CUSTODY

☒ Defendant states true name to be **Same**

☒ Petty Offense ☒ Date of Arrest: **08/18/2013**

☒ Arr/Plea of Guilty entered as to the Complaint.

☒ Court accepts defendant's plea and finds plea to be freely and voluntarily given.

☒ Defendant waives preparation of the presentence report.

SENTENCING: Defendant committed to ☒ Bureau of Prisons for a period of
FIFTEEN (15) DAYS WITH CREDIT FOR TIME SERVED

☒ Imposition of Special Assessment is waived by the USA.

☒ Defendant advised of appeal rights.

OTHER: Richard L Juarez (FPD) is appointed as attorney of record for defendant.

Recorded by Courtsmart COP: 2

BY: Jocelyn Arviso Sent: 0

Deputy Clerk IA: 0

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

United States of America

vs.

Jose Martinez

YOB: 1993

CRIMINAL COMPLAINT

CASE: 13-64711MP

Citizenship: MEXICO

DOA: 08/18/2013

I state that I am a Border Patrol Agent and that this complaint is based on the following facts: That on or about August 18, 2013, near Lukeville, Arizona in the District of Arizona, Defendant Jose MARTINEZ, an alien, did knowingly and willfully enter the United States at a time or place other than as designated by Immigration Officers of the United States of America, in violation of Title 8, United States Code, Section 1325 (Misdemeanor).

The Defendant, a citizen of Mexico and illegally within the United States, was encountered by Border Patrol agents near Ajo, Arizona. The citizenship and immigration status of the Defendant was questioned. Agents determined that the Defendant is an undocumented National of Mexico and illegally in the United States. The Defendant was transported to the Border Patrol station for processing. During processing, questioning and computer records checks the criminal and immigration information was obtained as it relates to this Defendant. The Defendant last entered the United States illegally without inspection near Lukeville, Arizona on August 18, 2013.

File Date: 08/20/2013

at Yuma, Arizona



Jerry Rivas, Border Patrol Agent

Sworn to before me and subscribed in my presence,

Date signed: 08/20/2013



**James F. Metcalf
United States Magistrate Judge**

FBI Number: 513819MD7

Magistrate Information Sheet

Complaint: Jose Martinez

Criminal History: 10/06/2011, Greenville, SC, DUI(M), Convicted, Fine.

Immigration History: Deported- 1X, 07/13/2013, CALEXICO, CA.